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August 11, 2003

Via E-Mail and Overnight Carrier

Mary L. Cottrell, Secretary
Department of Telecommunications and Energy
Commonwealth of Massachusetts
One South Station, 2nd Floor
Boston, Massachusetts 02110

Re: Investigation by the Department of Telecommunications and Energy, to establish a surcharge to recover prudently incurred costs associated with the provision of wireline Enhanced 911 services, relay services for TDD/TTY users, communications equipment distribution for people with disabilities, and amplified handsets at pay telephones
Docket No. D.T.E. 03-63

Dear Secretary Cottrell:

RCN-BecoCom, LLC ("RCN") hereby submits for filing in the above referenced proceeding RCN's Late Filed Petition to Intervene. An original and one (1) copy of this filing and a Motion of Counsel to appear *Pro Hac Vice* are attached.

Should you have any questions concerning this filing, please do not hesitate to contact me.

Respectfully submitted,

Philip J. Passanante

Enclosure

cc: DTE Electronic Filing System (dte.efiling@state.ma.us)
Joan Foster Evans (joan.evans@state.ma.us)
DTE 03-63 Service List

Investigation by the Department of Telecommunications
and Energy to establish a surcharge to recover prudently
incurred costs associated with the provision of wireline
Enhanced 911 services, relay services for TDD/TYY,
users, communications equipment distribution for people
with disabilities, and amplified handsets at pay telephones.

RCN-BECOCOM, LLC ("RCN or the "Company"), a Massachusetts limited liability company, duly certified to provide telecommunications services in the Commonwealth of Massachusetts (the "Commonwealth" or "Massachusetts") by virtue of its Registration/Statement of Business Operations and tariff filed on or about January 1997, hereby petitions, pursuant to 220 C.M.R. Sec. 1.03, to intervene as a party in the above referenced proceeding.

1. The Company provides telecommunications services, including Enhanced 911 ("E911") service, in the Commonwealth as a competitive telecommunications provider. The interim E911 surcharge established in Phase I of the above-entitled proceeding is to remain in place pending the establishment of a permanent retail end-user surcharge. Since RCN is required to bill its end-users the surcharge, RCN's interests are impacted by the Department's review and decisions in this docket.

2. In addition, RCN was recently back-billed by Verizon-Massachusetts for 911 infrastructure charges. The invoice charges date back several years and have been disputed by RCN. Since the issues addressed in the instant docket are related to that dispute, RCN has a specific and continuing interest in this proceeding.
3. RCN requests that all filings in connection with this proceeding be served on counsel and also continue to be served on the following individual:

Patrick McGuire
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105 Carnegie Center, 3rd Floor
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WHEREFORE, RCN-BecoCom, LLC respectfully requests that this Petition to Intervene be accepted on a late-filed basis, for good cause shown.

Respectfully submitted,

RCN-BECOCOM, LLC

By: _____

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Dated: August 11, 2003

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Investigation by the Department of Telecommunications)	
and Energy to establish a surcharge to recover prudently)	
incurred costs associated with the provision of wireline)	D.T.E. 03-63
Enhanced 911 services, relay services for TDD/TYY,)	
users, communications equipment distribution for people)	
with disabilities, and amplified handsets at pay telephones.)	
)	

MOTION OF COUNSEL TO APPEAR *PRO HAC VICE*

The undersigned counsel hereby respectfully applies to appear as counsel *pro hac vice* to RCN-BecoCom, LLC in connection with the above-captioned proceeding. I declare that I am a member in good standing of the Bar of the State of New Jersey.

Respectfully submitted,

Philip J. Passanante
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Dated: August 11, 2003

CERTIFICATE OF SERVICE

I hereby certify that, on this 11th day of August, 2003, I caused copies of the foregoing to be served on the following parties via e-mail and the Department via e-mail and overnight carrier.

Dated: August 11, 2003
Princeton, New Jersey

Patrick J. McGuire

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

Investigation by the Department of Telecommunications)	
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